

MAY 13, 2014

**CITY OF GUNNISON COUNCIL
REGULAR SESSION MEETING MINUTES**

7:00 P.M.

The City Council Regular Session meeting was called to order at 7:00 P.M., by Mayor Drexel, with Councilors Riggs, Ferguson, Steinbeck, and Hagan present along with City Attorney Fogo, City Manager Coleman, City Clerk Davidson, Community Development Director Westbay, and Water Superintendant Doherty. A Council quorum was present.

MAY 13, 2014

PUBLIC HEARING

7:00 P.M.

Receive Input on the Merits of Text Amendment Application ZA-14-1, Proposing an Amendment to Table 2-3 Principal Use Table, Regarding a Daycare Center Use in the CBD and Commercial District, and to Correct Typographical Errors with the *City of Gunnison Land Development Code*.

Mayor Drexel called the Public Hearing to order at 7:00 P.M. and stated it is 7:00 P.M. on Tuesday, May 13, 2014, in the City Council Chambers of City Hall, 201 W. Virginia Avenue in Gunnison and present at the Public Hearing are myself, Mayor Bob Drexel, City Councilors Carolyn Riggs, Stu Ferguson, Anne Steinbeck and Richard Hagan, City Attorney Kathy Fogo, City Manager Ken Coleman, City Clerk Gail Davidson, Community Development Director Steve Westbay and Water Superintendent Joe Doherty.

Mayor Drexel stated the purpose of the Public Hearing is to receive input on the merits of a Text Amendment Application, ZA-14-1, proposing an amendment to Table 2-3 Principal Use Table, regarding a daycare center use in the CBD and Commercial District, and to correct typographical errors within the City of Gunnison *Land Development Code*.

Mayor Drexel called for proof of publication. City Clerk Davidson stated a copy of the Public Hearing notice was included in their packets and the original affidavit of publication is available in the official record.

Mayor Drexel then called for the City Staff and Applicant testimony. Community Development Director Steve Westbay stated that he has the Staff comments and recommendation and also the applicant testimony since he is the applicant. Director Westbay stated Section 10.3 of the City *Land Development Code* (LDC) specifies that a text amendment to the LDC be reviewed by the Planning and Zoning Commission at a Public Hearing after 15 days public notice. The Commission then makes a recommendation to City Council for approval, denial or remanding the Application back to the applicant. City Council considers the Commission recommendation at a Public Hearing and by ordinance approves, denies or remands the Application back to the applicant. The City Planning and Zoning Commission held a Public Hearing on the Application on April 23, 2014, and following that Hearing, the Commission voted to recommend approval of the Text Amendment Application to the City Council.

Director Westbay stated the Text Amendment proposes to modify Table 2-3 Principal Use Table, to allow townhomes in the Commercial (C) zone district as a conditional use. They are prohibited in the Commercial Business District (CBD) zone district. The Amendment prohibits Daycare Centers in the CBD and permits them as a conditional use in the C zone district. Firewood Processing and Sales, that are classified under the Manufacturing and Production category, are permitted in the Industrial zone district and will be permitted as a conditional use in the C district. The Text Amendment recommends several typographical corrections in the LDC and recommends correction to Section 4.4.D.1 to define the 11 foot wide van-accessible parking space requirements to comply with the ADA. The Amendment changes the image in Section 4.6.F.4.c Figure 16, to depict snow storage space between the curb and the required landscaping. When the LDC was adopted it was stated that these kinds of amendments would come forth as they were discovered in the LDC. This application is generally a matter of housekeeping of the LDC. Mayor Drexel thanked Director Westbay for his testimony.

Mayor Drexel called for any further testimony on the Amendment Application. There were no comments.

Mayor Drexel asked if any letters, emails or other comments were received to be entered into the record. City Clerk Davison responded that no further comments were received.

Hearing no further comments, Mayor Drexel closed the Public Hearing at 7:08 P.M. and Council went into Regular Session.

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Consideration of Minutes:

Regular Session Meeting Minutes of April 22, 2014.

Councilor Riggs moved and Councilor Hagan seconded the motion to approve the Regular Session Meeting minutes of April 22, 2014, as submitted.

Roll call vote, yes: Riggs, Ferguson, Drexel, Steinbeck, Hagan. So carried.

Roll call vote, no: None.

Pre-Scheduled Citizens: None.

Unfinished Business: None.

New Business:

Action on 2014 Sewer Pipe Slip Lining Bid. Water Superintendant Joe Doherty stated there were no changes in the request from the information presented last week at the Council Work Session. Council had no further questions of Superintendent Doherty.

Councilor Hagan moved and Councilor Riggs seconded the motion to approve and award the 2014 slip line bid to TES, Inc., the low qualifying bidder, in an amount not to exceed \$175,000.

Roll call vote, yes: Ferguson, Drexel, Steinbeck, Hagan, Riggs. So carried.

Roll call vote, no: None.

Action on 2014 Budgeted Funds Transfer. City Manager Coleman explained the memo in their packets identifies where the funds are being transferred from and into what other fund. These transfers will be included in a mid-year additional appropriation ordinance. Councilor Riggs asked why this will be a mid-year and not the final year-end ordinance. City Manager Coleman explained the mid-year ordinance is the preference of Finance Director Collins since the year-end additional appropriations ordinance tends to be quite extensive and this keeps the entire appropriation process cleaner and clearer.

Councilor Riggs moved and Councilor Ferguson seconded the motion to approve the transfers listed in the May 7, 2014, memo and for the transfers to be included in a mid-year ordinance documenting supplemental appropriations to the 2014 Budget.

Roll call vote, yes: Drexel, Steinbeck, Hagan, Riggs, Ferguson. So carried.

Roll call vote, no: None.

Ordinance and Resolutions:

Ordinance No. 4, Series 2014; Re: Text Amendment Application ZA-14-1, Amendment to the City of Gunnison Land Development Code, 1st Reading. Councilor Ferguson introduced Ordinance No. 4, Series 2014, and it was read by title only by the City Attorney.

Councilor Ferguson moved and Councilor Steinbeck seconded the motion that Ordinance No. 4, Series 2014, **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON TO AMEND SECTION 2, ZONING DISTRICTS, TABLE 2-3 PRINCIPAL USE TABLE AND SECTION 4, GENERAL DEVELOPMENT STANDARDS WITHIN THE CITY OF GUNNISON LAND DEVELOPMENT CODE**, be introduced, read, passed, and ordered published on first reading this 13th day of May, 2014.

Roll call vote, yes: Steinbeck, Hagan, Riggs, Ferguson, Drexel. So carried.

Roll call vote, no: None.

Councilor Riggs asked Director Westbay if this ordinance addresses the wood processing business that was dealt with last fall. Director Westbay stated that the Planning & Zoning Commission discussed the issues at length and decided this ordinance answers the concerns.

City Attorney Kathleen Fogo: had no report.

City Manager: Ken Coleman reported on the following: paving is underway on South Wisconsin Street; with the snow, town is greening up nicely and we have a good snow base at

Cranor Hill; the ditches are on with the typical start-up problems being addressed; the auditors are here this week and the Finance team is facilitating that project; and Arbor Day will be celebrated tomorrow at 1:30 P.M. at the VanTuyl Ranch trailhead with a proclamation reading and trees being planted by Middle School students.

Community Development Director Westbay: reported building activity is up and Building Official Eric Jansen has been busy. The Courthouse project is taking a lot of his time. There are several business interests including O'Reilly Auto Parts. The housing market has several starts and the Planning staff is busy with conditional use applications, a variance, and a boundary line adjustment. Dennis reported that the tri-annual emergency services drill went really well a couple of weeks ago. There is good news and bad news on the grant front. The Colorado Water Conservation Board staff indicated yesterday that the \$400,000 grant application may be funded in full. That grant, partnered with the Colorado Department of Parks and Wildlife, is for riverbank restoration from the north Highway 135 bridge downriver to the Tomichi Riverway Park. On the bad news side, GOCO has indicated they will not be funding the \$400,000 trails grant application.

City Manager Coleman informed Council that Dan Ampietro had a visit from a Gates Foundation representative relative to the senior addition grant application. That Foundation has changed their granting structure and now grants 10 to 15% of the total project cost rather than up to 50%. Grant applications will still be submitted to the Daniels Fund and the Boettcher Foundation for the senior addition project.

Acting City Manager: Finance Director Wendy Collins – not present.

City Clerk: Gail Davidson passed out Ana's Pledge certificates to each Councilor. Councilor Hagan read the Pledge as all of the Councilors signed the document pledging to ride their bikes in a safe manner. City Clerk Davidson also informed Council the advertisements and notices for the two term vacancies on the Board of Zoning Adjustment and Appeals and the vacant term on the Planning & Zoning Commission are in process. The existing Board members and Commissioner have been notified about their terms ending and were notified they are welcome to submit a letter of interest if they would like to continue their service.

WSCU Liaison: this position is vacant until late August.

Non-Scheduled Citizens: None.

City Council Discussion, Meeting Reports, Items for Work Session:

Mayor Pro Tem Ferguson: reported he attended the UGRWCD reception for the Colorado River Compact States representatives. It was an interesting face-to-face meeting with lots of water folks with various job responsibilities and perspectives. He attended the Region 10 Broadband Grant meeting and the RFP for the project is being finalized. He feels better about the latest draft as it encompasses the broad range of broadband needs for the various governmental regions involved. He will keep Council posted as the proposals are received. Mayor Drexel asked about the \$400,000 Economic Development Grant that has a broadband component. City Manager Coleman stated that broadband is just a mechanism for economic development in that grant.

Councilor Steinbeck: reported she attended the Gunnison Regional Housing Authority meeting last Wednesday. A delegation of three went to Denver to apply for tax credits for the Caddis Flats workforce housing project in Crested Butte. They should hear soon if they received the credits, and if not, will apply for them next year. She attended the local health fair and there were many good displays and health information for participants. She is looking forward to Arbor Day on Wednesday and believes this will be the 25th anniversary of the program. She too attended Amber Leal's graduation party

Councilor Hagan: reported he attended the Trails Commission meeting last night. They discussed the GOCO Grant but didn't know at that time that funding was not going to be granted. He thanked Director Westbay for his presentation at that meeting. Councilor Hagan informed Council that our former Western student liaison, Amber Leal, did a great job as the student commencement speaker. And, the exterior walls and some interior walls are up at the Habitat for Humanity building. The trusses are coming in this week.

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Councilor Riggs: reported she attended the Community Builders Task Force meeting last week and they discussed utilizing the Sonoran Institute for their planning and visioning process. She attended the RTA meeting last Friday and the Airport Manager reported they received a zero deficiency rating on the recent FAA airport inspection. The RTA is finalizing contract figures for next season. Over the weekend she attended several graduation festivities and closed her business on Saturday. She now has some time for herself and for volunteer activities.

Mayor Drexel: reported he too attended the water reception at Western and talked with several water engineers. Mr. Hicks from Wyoming told him the Federal government paid for all of the snow fences that line I-80 in Wyoming because when that highway is closed due to weather, there is an \$80 million per hour cost from lost commerce. He also attended Amber's graduation party and she was touched by the City's proclamation.

Adjournment: Mayor Drexel called for any further discussion, and hearing none, adjourned the meeting at 7:40 P.M.



Mayor

City Clerk